

**REMARKS**

Claims 1, 23, 24, and 38-52 are pending and have been examined in the present application.

Claims 1, 23, 38, 42, and 44-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Niu (U.S. Patent Application Publication 2005/0134456) in view of Green (U.S. Patent No. 5,926,133). Claims 24, 39-41, 43, and 52 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Niu in view of Green, and further in view of Karr (U.S. Patent No. 6,952,181). Applicant respectfully traverses these rejections.

Among the limitations of independent claims 1, 23, 24, 38 and 39 that are neither disclosed nor suggested in the prior art of record is “a means for receiving identification information of said wireless station that is an object of positioning, or identification information of said plurality of said wireless stations, for retrieving necessary measurement number-of-times conclusion information corresponding to this identification information from said database, and for deciding the measurement number of times based upon this necessary measurement number-of-times conclusion information.”

One of the benefits of using a measurement number-of-times conclusion information related to the wireless station that is the object of positioning is to compensate for the specific internal circuit characteristics of the wireless station. *See* specification at [0003].

As admitted on page 3 of the Office Action, Niu fails to teach or suggest the number-of-times a station needs to measure for positioning. The Office Action then relies on the teachings of Green to address this deficiency of Niu. Green, however, does not remedy any of the deficiencies of Niu.

Green is directed to a system that determines the location of a portable communication device using dedicated multipath calibration transponders at known locations. Green does not disclose or suggest a measurement number-of-times. Rather, Green teaches that signals from rover

16 and transponders 12 are received at several base stations, and that the reception conditions of these signals are used to derive the position of the rover 16. Green, col. 7, lines 19-33. Therefore, in the system of Green a measurement number-of-times to determine the position of a wireless station is not used in any manner.

Karr also does not remedy any of the deficiencies of Niu and/or Green. Karr does not disclose or suggest the use of a measurement number-of-times to determine the position of a wireless station.

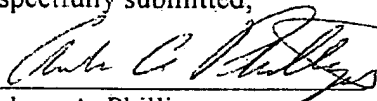
Therefore, even if one were to combine the teachings of Niu, Green and/or Karr, one would not arrive at the present invention as defined in independent claims 1, 23, 24, 38 and 39. Accordingly, it is respectfully submitted that independent claims 1, 23, 24, 38 and 39 patentably distinguish over the prior art of record.

Claims 40-52 depend either directly from independent claim 39 and include all of the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 40-52 are likewise patentable.

In view of the foregoing, favorable consideration and allowance of the present application with claims 1, 23, 24 and 38-52 is respectfully and earnestly solicited.

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Respectfully submitted,

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